



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

November 17, 2010

✓ Ron Lawrence, Treasurer
Citizens for Colton First

Redacted

Warning Letter Re: FPPC No. 10/956, Citizens for Colton First and Ron Lawrence, Treasurer

Dear Mr. Lawrence:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a complaint filed against you that alleged your committee, Citizens for Colton First, had violated the advertisement disclosure provisions of the Act.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you and your committee, Citizens for Colton First, did not include the required advertisement disclosure in the mass mailing you sent out entitled "Tired of Being Hosed by Colton's Outrageous Electric Bills?" in opposition to the candidacy of Kelly Chastain.

The Act provides that a committee's failing to accurately disclose the required information on its advertisements is a violation. Specifically, the Act requires that an advertisement supporting or opposing a candidate that is paid for by an independent expenditure, meaning a payment made not at the behest of a candidate, must include a statement that it was not authorized by a candidate or a committee controlled by a candidate. (GC § 84506.5; see GC § 84501 for the definition of "advertisement" that includes mailers.) Your committee's actions violated the Act because, although the mailer you sent out was an independent expenditure, it did not contain the required disclosure. Because, however, after learning of the Act's requirements in this regard you did include the required disclosure on subsequent mailers, we have decided to close this case.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

If you have questions regarding this matter, please contact Adrienne Korchmaros at (916) 322-8241.

Sincerely,

Redacted

Gary S. Winuk, Chief
Enforcement Division

GSW:AK:ak

cc: David Crawford